



December 13, 2011
10:30 a.m. to 12:00 p.m.
Upper Rotunda - WV State Capital

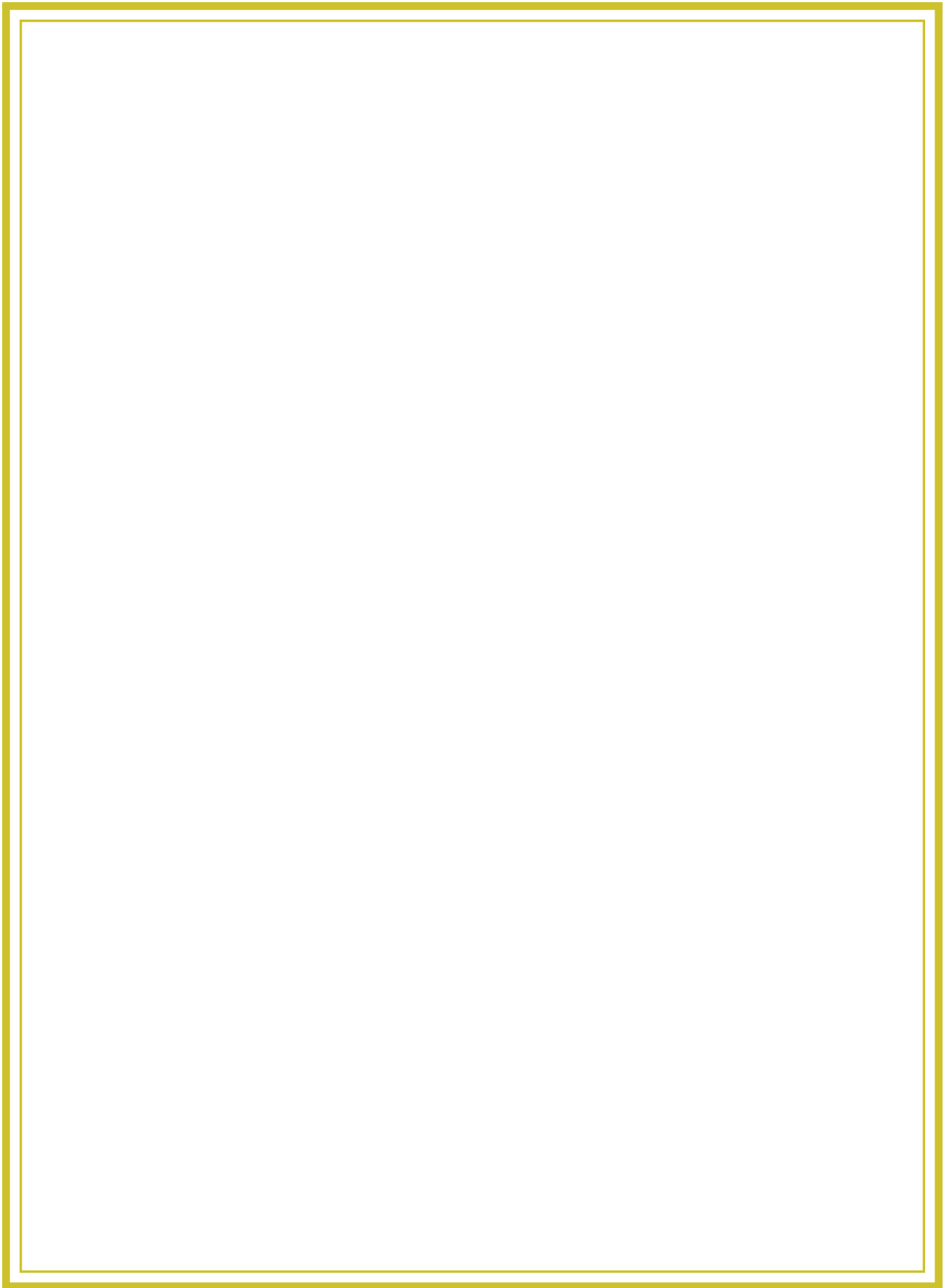


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Earl Ray Tomblin
Governor

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GREETINGS FROM THE GOVERNOR

As the Governor of West Virginia, it gives me great pleasure to welcome you to the 50th Anniversary Celebration of the West Virginia Human Rights Commission.

This is a historic moment for the commission and our state. It is a time to celebrate and reflect upon 50 outstanding years of service to the citizens of West Virginia. You have worked consistently and diligently throughout those years and your efforts have aided in the elimination of discriminatory practices and promoted equality. Ultimately, the commission has and continues to provide a level playing field for all West Virginians.

I would like to take this opportunity to extend my sincere gratitude to the dedicated individuals, both past and present, who make up the West Virginia Human Rights Commission. All of you have been a driving force, playing an essential role in day to day operations and moving the commission forward ensuring its long-term success.

On behalf of our Great State, I am honored to recognize the West Virginia Human Rights Commission as you celebrate your 50th Anniversary.

Sincerely,

A handwritten signature in blue ink that reads "Earl Ray Tomblin".

Earl Ray Tomblin
Governor



PROCLAMATION
by Governor Earl Ray Tomblin

- Whereas,** the West Virginia Legislature enacted the West Virginia Human Rights Act in 1961, prohibiting discrimination in employment and in places of public accommodations based on race, religion, color, national origin, ancestry, sex, age or blindness or disability; and
- Whereas,** in 1992, the West Virginia Legislature enacted the Fair Housing Act which prohibits discrimination in housing accommodations or real property based on race, religion, color, national origin, ancestry, sex, blindness, disability or familial status; and
- Whereas,** the denial of these rights to properly qualified persons by reason of race, religion, color, national origin, ancestry, sex, age, blindness, disability or familial status is contrary to the principles of freedom and equality of opportunity and is destructive to a free and democratic society; and
- Whereas,** the West Virginia Human Rights Act created the West Virginia Human Rights Commission to Implement and enforce the provisions of the Act, as well as to encourage and endeavor to bring about mutual understanding and respect among all racial, religious and ethnic groups within the state; and
- Whereas,** the Human Rights Commission strives to eliminate all discrimination in employment, places of public accommodations, and housing; and
- Whereas,** the Human Rights Commission works cooperatively with government agencies, community and civic organizations and representatives of minority groups to promote programs and campaigns devoted to the achievement of tolerance, understanding and equal protection of the law; and
- Whereas,** the Commission continues in its power and authority under West Virginia law to perform the functions and services as prescribed by law and reaffirms its mission to the citizens of West Virginia.

Now, Therefore, Be it Resolved that I, Earl Ray Tomblin, Governor of the Great State of West Virginia, do hereby proclaim **December 13, 2011**, as:

Human Rights Commission Day

in the Mountain State and encourage all citizens to join me in this observance.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be Affixed.

Done at the Capitol, City of Charleston, State of West Virginia, this the Fifth day of December, in the year of our Lord, Two Thousand Eleven, and in the One Hundred Forty-Ninth year of the State.




Earl Ray Tomblin
Governor

By the Governor:

Natalie E. Tennant
Secretary of State

50TH YEAR CELEBRATION CEREMONY

PART I



Musical Selection by the West Virginia State University Jazz Band

Remarks..... **Randy Dameron**
Master of Ceremonies

Welcome..... **Dr. Hazo Carter**
President, West Virginia State University

Introduction of Governor..... **Rev. Dr. Darrell Cummings**
Chair, West Virginia Human Rights Commission

Remarks and Proclamation..... **Earl Ray Tomblin**
Governor of the State of West Virginia

Greetings..... **Kelly Goes**
State Director for U.S. Senator Joe Manchin, III

Occasion..... **The Honorable Darrell McGraw**
Attorney General for the State of West Virginia

Justice Franklin Cleckley
Former Justice, West Virginia Supreme Court of Appeals

Remarks..... **Spencer H. Lewis, Jr.**
Director, U.S. Equal Employment Opportunity Commission, Philadelphia District Office

The Honorable Tod J. Kaufman
Circuit Judge, Kanawha County

Reflections of the late Reverend Martin Luther King, Jr..... **Reverend Ronald English**
Project Manager for WV Diversity
Leadership Academy, Adjunct Instructor

Intermission

Musical Selection by the West Virginia State University Jazz Band

50TH YEAR CELEBRATION CEREMONY PART II



Remarks and Reflections on Covered Protected Classes

Ancestry **Dr. Minu Sabet, Lee H. Adler**

Age **Betty Hamilton, William L. Williams**

Blindness **Sheri Koch, Sharon Fridley**

Color **Sylvia Ridgeway**

Disability **Elmer Day, David Stewart, Ariel Depp**

Familial Status **Cheryl Henderson, The Hon. Ken Hechler**

National Origin **Dr. Rahul Gupta**

Race **Rev. Emanuel Heyligher**

Religion **Reverend Patricia Jarvis, Rabbi Victor Urecki**

Sex **Joan C. Browning, Barbara Cary**

Remarks **Phyllis H. Carter**
Acting Executive Director
WV Human Rights Commission

**Musical Selections led by Leisha English-Gibson
with the West Virginia State University Jazz Band**

Closing **Reverend Ronald English**

Speaker Biographies

Lee H. Adler

Lee H. Adler is an attorney, formerly of Beckley, West Virginia. His representation of complainant Hassan Zavareei in a case before the West Virginia Human Rights Commission's hearing examiner, and later in the West Virginia Supreme Court of Appeals, helped establish the first national origin discrimination case in West Virginia jurisprudence and prevailed in the first ever sexual discrimination effort against the West Virginia state college system. Mr. Adler currently serves as Senior Extension Associate for the New York State School of Industrial and Labor Relations at Cornell University.

Joan C. Browning

Joan C. Browning grew up in rural southern Georgia. In 1961, she was forced to leave her studies at Georgia State College for Women because she worshipped at a black church. She was a faithful observer of the nonviolent fight against racism and was one of nine Albany Freedom Riders on December 10, 1961, for which she was subsequently arrested, charged with unlawful assembly, and jailed for a week and a half. Thirty years after her forced withdrawal from Georgia State College for Women, Browning earned her Bachelor of Arts degree at West Virginia State College (now University), a historically black college. She was a 2003 recipient of the Governor's Civil Rights Day Award and a 2000 recipient of the Martin Luther King, Jr. West Virginia Holiday Commission's Governor's Living the Dream Award. Now a freelance writer, she continues to speak on the values that brought her to the Civil Rights Movement 50 years ago. She lectures in a widening circle of colleges and universities using her personal experiences to discuss race, class, gender and the history of the South the Civil Rights Movement.

Barbara Cary

Barbara W. Cary is originally from War, McDowell County, West Virginia. A 1968 graduate of Big Creek High School, Mrs. Cary received her Bachelor of Science Degree in English, Health, and Physical Education from West Virginia State College. She received her Master's Degree in Curriculum and Supervision from the University of Pittsburgh, in Pennsylvania. Mrs. Cary serves as the Director of the Trio Programs at West Virginia State University after assuming the position in 1991. She is the first African American female and the first African American to serve in the At Large Position on the Charleston City Council. She is the President of the Charleston- Institute Alumnae Chapter of Delta Sigma Theta Sorority, Inc. She serves on several community boards including the Charleston Job Corps. She is the mother of five children and three grandchildren and the wife of the belated Miles Cary. Mrs. Cary is the recipient of the 2011 Martin Luther King Jr. Living the Dream Award for Education.

Elmer Day

Elmer H. Day, Jr. serves as the Executive Director of the Beckley Human Rights Commission; employed by the City of Beckley for over 18 years. Before serving the citizens of Beckley, Day served his country in Vietnam as a member of the United States Marine Corps. He was awarded two Purple Heart Medals for wounds received during his service in Vietnam. He is a member of the Disabled Veterans of America, American Legion Post #70, National Association of Human Rights Workers, NAACP, Citizens Improvement Association, Mountain State Center for Independent Living Board, and the Governor's Hate Crimes Task Force.

Ariel Depp

Ariel Depp is a 16-year-old high school student. Earlier this year, Depp and her parents requested a transfer to South Charleston High School, the school across from their home because, they say, Depp was bullied at Capital High School because she was deaf. The Kanawha County School Board refused the family's request for transfer, however, stating that the school system does not have the funds needed to provide interpreters to all Kanawha County Schools. Depp's family's case is ongoing.

Sharon Fridley

Sharon Fridley is retired from the West Virginia Division of Rehabilitation Services where she worked for many years as the Coordinator of Information and Referral Services for the Blind. She is a lifelong resident of Nitro and has probably had some contact with virtually every blind person in the state of West Virginia.

Dr. Rahul Gupta

Dr. Rahul Gupta is the Health Officer and Executive Director at Kanawha-Charleston Health Department and leads the largest local health department in the state. He is also adjunct clinical Assistant Professor of Medicine at West Virginia University School of Medicine and adjunct Associate Professor at University of Charleston's School of Pharmacy. He also serves as medical consulting and a teaching staff member at Charleston Area Medical Center hospital and is a volunteer physician at the West Virginia Health Right Clinic in Charleston. Dr. Gupta has worked with various healthcare organizations to develop, integrate and measure adherence to various public health initiatives including those for the underserved and indigent population.

The Honorable Dr. Ken Hechler

The Honorable Dr. Ken Hechler has spent his life in service to the country - as a combat historian in World War II, as a Congressman (1958-1976), as Secretary of State for West Virginia (1985-2001), and as a staunch supporter of civil rights and equal liberties for all. He was the only member of Congress in 1965 to march with Dr. Martin Luther King, Jr. from Selma to Montgomery and support the cause of the Freedom Riders and those fighting for civil rights. He championed the passage of the 1965 Voting Rights Act, which outlawed discriminatory voting practices. He was also the first elected official to stand up for coal miners following the Farmington Mine Disaster in 1968 and was a principal sponsor of the Federal Coal Mine Health and Safety Act of 1969, which mandated stronger safety regulations for coal miners. He was a 2006 recipient of the Governor's Civil Rights Day Award and numerous other awards and honors.

Cheryl Henderson

Cheryl Henderson, J.D. is the daughter of the late Herbert H. Henderson, Esq., who was the first black male to graduate from George Washington University in Washington, DC. Henderson grew up in her father's law office answering phones and running errands, watching her father fight for justice. She graduated from the West Virginia University School of Law in 1980 and now practices at Henderson, Henderson & Staples, the law firm her father founded more than 50 years ago with her two sisters, Gail Staples, Sherri Henderson, and her brother-in-law, Dwight Staples. She has been active in both the West Virginia State Bar Association and the Mountain State Bar Association, serving as the latter's President from 1996-1998. She is extremely involved in work as guardian ad litem for children and strives to represent those that cannot represent themselves in court, especially in cases involving children. She is also very active in her own community.

Reverend Emanuel Heyligher

The Rt. Reverend Emanuel Heyligher was born in Guyana, South America. He is the Senior Pastor of Ferguson Memorial Baptist Church in Dunbar, WV, where he has served since 1980. He was appointed by Governors Gaston Caperton and Cecil Underwood to the Martin Luther King, Jr. Holiday Commission, was certified by the Virginia State Supreme Court as a mediating specialist and served as the Chaplain to the Senate of the West Virginia State Legislature. Heyligher serves as chairperson of Kanawha Institute for Social Research and Action, Inc. (KISRA) and provides leadership and support to churches both at home and abroad. He continually speaks and counsels others, believing that there can be unity in diversity.

Reverend Patricia Jarvis

The Reverend Dr. Patricia Ann Jarvis, D.Min. became sensitized to the issues of race as a teenager, when she enrolled at Ohio Wesleyan University in 1960, and became part of the Student Committee on Human Rights. Following college and Seminary school, Jarvis returned to New York to work as a night time recreation director for teenagers in the Brooklyn Protestant Council at a time when riots were common throughout the areas of Harlem, Bedford-Stuyvesant, and other urban, low-income areas. Joining picket lines and marching, she protested for fair housing, equal employment and equal opportunities and rights for all citizens. Jarvis and her husband, Reverend Julian Sulgit, lived and worked for some time in Sierra Leone, West Africa as teachers before returning home to work in the former Department of Welfare and as a director for the Charleston District Outreach Ministries. She was a 2006 recipient of the Governor's Civil Rights Day Award. Her story can be seen on film in "Standing on Holy Ground" from Patchwork Films.

Sheri Koch

Sheri Koch is the second Vice-President of the National Federation of the Blind of West Virginia and President of its Kanawha Valley Chapter. She is also employed by the West Virginia Division of Rehabilitation Services as Program Supervisor of Services for the Blind and Visually Impaired.

Sylvia Ridgeway

Sylvia Ridgeway is the President of the Huntington Chapter of the NAACP and was recently elected the President of the West Virginia Chapter of the NAACP.

Dr. Minu Sabet

Dr. Minu Sabet was a 2010 Recipient of the Governor's Civil Rights Day Award. A native of Iran, she pursued an education in medicine and worked academically at the University of Tehran. After fleeing her native country with her family in search of a home where she could further the foundations of her Baha'i faith, which teaches equality for all regardless of sex, race, or religious belief. She has chaired the Race Unity Committee for the Baha'is of Charleston and has supported Race Unity Day for several years. She continues to speak out for equality.

Betty Hamilton

Betty Agsten Hamilton has fought for civil rights from the 1950s through today. She sat in at the Diamond lunch counter in order to facilitate integration in Charleston in the 1950s lobbied and marched for civil rights and for the passage of the Human Rights Act. She was the President of the Kanawha Valley Council on Human Rights, Co-founder of Panel of American women, and a member of the National Bi-Racial Bi-Centennial Commission. She was a twenty year member of the West Virginia Human Rights Commission, serving as Commissioner. She has been a fierce advocate for mental health awareness and sat on a Special Committee tasked with investigating health care at Alderson Federal Prison Camp for Women.

David Stewart

David Stewart serves as the Project Director of Eastlake, Derry and Associates, which involves providing information and technical assistance on the American with Disabilities Act, the Fair Housing Act, and the Rehabilitation Act, and other related laws to people with disabilities, attorneys, members of state legislature, the West Virginia Human Rights Commission, state and local government entities and the general public. He conducts training seminars and plans reviews and surveys on buildings and programs to ensure compliance and educate in matters of accessibility. He is the coordinator for the West Virginia ADA Coalition and member of the Fair Shake Network, wherein he assists in the monitoring and advocating of local, state and national legislation that furthers the rights of persons with disabilities. He is a 2009 recipient of the Governor's Civil Rights Day Award and has received numerous other awards and honors.

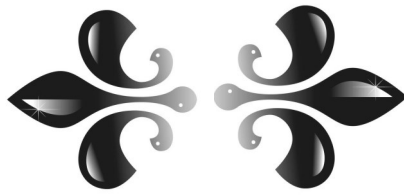
Rabbi Victor Urecki

Rabbi Victor Urecki has served as rabbi and spiritual leader of B'nai Jacob Synagogue since 1986. He is a member of the Rabbinical Council of America, the Chicago Board of Rabbis and serves on the Executive Rabbinical Cabinet of the Jewish Federations of North America, the largest Jewish philanthropic organization in the world. He serves on National Council of The American Israel Public Affairs Committee and on the board of directors at the University of Charleston. He is a contributing editor to the Charleston Gazette, writing frequently about religious tolerance and mutual respect. Urecki has devoted his career to teaching the importance of religious openness, embracing the similarities and finding strength in differences. He co-founded the Root and the Branch, an organization dedicated to creating opportunities for faith traditions in the Kanawha Valley to come together, dialogue, and learn from one another.

William L. “Tank” Williams

William L. “Tank” Williams has been a Commissioner for the West Virginia Human Rights Commission for 20 years, first appointed in 1991 by Governor Gaston Caperton. Born in Bessemer, Alabama, he was nine months old when his parents moved to Omar, West Virginia where his father took up work in the coal mines. He attended Bluefield State College on an athletic scholarship in football, where he earned the name “Tank.” He served in the United States Army Air Corps during WWII and then went on to become a teacher at Aracoma High School in 1951. In 1959 he transferred to Logan High School as an instructor and guidance counselor, and helped ease the transition of desegregation when students from the all-black Aracoma High were transferred into the all-white Logan County High Schools. He has worked on various committees and has been awarded numerous honors, including being named to the Aracoma High School Hall of Fame for contributions to their athletic department and receiving the 2005 Governor’s Civil Rights Day Award. He retired from the Logan County school system in 1987, but remains active in his community and church in Omar and remains a faithful member to the West Virginia Human Rights Commission.





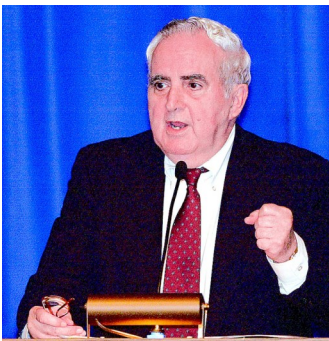
Human Rights Commission's 50th Year Celebration

I was privileged to have had Paul Kaufman as both a legislative colleague and as a friend. He and his wife, Rose Jean, were a wondrous couple, brilliant, intensely interested and involved in the life of Charleston, West Virginia, and the nation -- and always trying to make things better.

The Human Rights Act of 1961 was Paul's idea. He would introduce it in the Senate and preside over its passage there and asked me to do the same in the House of Delegates. Sharing his determination to fight racial and religious prejudice, I was happy to join him in the struggle.

After discussing the bill's prospects with our colleagues, we concluded that the only strategy that could get it passed was the foot-in-the-door approach that Lyndon Johnson had used with the Civil Rights Act of 1957. We felt that getting the Legislature to recognize human rights as the state's official policy was the essential first step toward getting the teeth for enforcement that would ultimately be needed. Fortunately, our strategy proved to be correct. Just as the rights proclaimed by Johnson's 1957 law were made real by the Civil Rights Act of 1964 and the Voting Rights Act of 1965, in West Virginia a steady stream of court decisions and legislation expanded and made enforceable the rights asserted in our bill.

I am proud to have been Paul's partner in getting the 1961 law enacted. I am prouder still of all those who have worked to turn our promise of human rights into reality for West Virginia.



Best Wishes,
Charlie G. Peters Jr.

*Honorable
Nick J. Rahall, II*

*United States
Congressman*



Bluefield 304-325-6222
Logan 304-752-4934
Huntington 304-522-6425
Beckley 304-252-5000

<http://www.rahall.house.gov/>

Dear Friends,

Thank you for your kind invitation to join you today in celebration of your 50th year administering the West Virginia Human Rights Act. Though votes in the House of Representatives have kept me in Washington, know that I am with you in spirit.

As you mark this tremendous milestone at our beautiful capitol, I am reminded of Eleanor Roosevelt and her tireless crusade in behalf of human rights. She once asked: "Where, after all, do universal human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighborhood he lives in; the school or college he attends; the factory, farm, or office where he works. Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination."

Your work is a true testament to the spirit of West Virginia – the resolve and strength of our communities and the faith we have in one another. It is in the homes, and schools, and work places throughout our Mountain State that your efforts are best reflected. The guiding light of the West Virginia Human Rights Commission shows the way for our citizens to act and protect their basic human rights – for themselves, their families, and their neighbors.

I wish you a wonderful celebration, and many more years of success in behalf of our citizens and State.

With warm regards, I am

Sincerely,

NICK J. RAHALL, II
Member of Congress



WEST VIRGINIA HOUSE OF DELEGATES
OFFICE OF THE SPEAKER

RICHARD THOMPSON
SPEAKER OF THE HOUSE

CHARLESTON 25305

(304) 340-3210

December 5, 2011

Phyllis H. Carter
Acting Executive Director
Human Rights Commission
1321 Plaza East, Room 108A
Charleston, WV 25301


Dear Ms. Carter:

I want to express my deep congratulations to the Human Rights Commission for 50 worthwhile years of serving the people of West Virginia!

One of the foundations of this great state is that West Virginians value both independence and equality, and treat each other accordingly. As legislators, we strive to ensure that every West Virginian has a fair opportunity to succeed, and I have tremendous respect for the vital role the West Virginia Human Rights Commission plays in that effort.

Please express my thanks to the past and present members of the commission for all that is done to protect the rights of our citizens.

Sincerely,


Rick Thompson
Speaker





THE SENATE OF WEST VIRGINIA
OFFICE OF THE PRESIDENT
CHARLESTON 25305

JEFFREY V. KESSLER
ACTING SENATE PRESIDENT

December 13, 2011

To the West Virginia Human Rights Commission



While I am unable to attend at this momentous occasion, it is with true fortitude that through the last 50 years the West Virginia Human Rights Commission has administered the West Virginia Human Rights Act, as amended to the citizens of this great State of West Virginia.

Over the years, I have been a strong proponent for Human and Civil Rights. I write these words to encourage and support anyone who works toward making their communities, jobs, businesses, places of public accommodation and homes, a better, happier and safer place to work and live.

The preservation of equal rights for all citizens, no matter their color, national origin, race, ancestry, sex, age (40 and above), blindness, disability and familial status in the areas of employment, public accommodations and housing, is tantamount to a true democratic society.

When we work harmoniously, we can make a positive difference for everyone. Injustice and hatred exists, so we must continually strive to educate our citizens on diversity and respect for one another. Diversity is what made our nation a great place to live in freedom; has allowed the technological advancements toward a better living; and will continue to keep our nation moving forward.

Very truly yours,

Jeffrey V. Kessler
Senate President – Lt. Governor



Michael Jansen
Fair Housing Director
U. S. Department of HUD
Pittsburgh Field Office
1000 Liberty Avenue
10th Floor
Pittsburgh, PA 15222

Phyllis H. Carter
Acting Executive Director
West Virginia Human Rights Commission
1321 Plaza East, Room 108A
Charleston, WV 25301

December 2, 2011

Re: 50th Anniversary Celebration

Dear Ms. Carter:

I'm writing on behalf of the Department of Housing and Urban Development to congratulate you and your agency as you celebrate the 50th anniversary of the enactment of the West Virginia Human Rights Act and the creation of the West Virginia Human Rights Commission. The State of West Virginia took an early proactive stand by protecting its citizens against unlawful discrimination approximately three years before Congress passed the Civil Rights Act of 1964. The State of West Virginia, its Human Rights Commission, and its citizens at large can be justly proud of their early and continuing stand to protect civil rights and ensure justice in life's most basic transactions – employment, housing, and public accommodations.

When the Department of Housing and Urban Development implemented the Fair Housing Assistance Program under the Fair Housing Act, we were very pleased to have the State of West Virginia, through its Human Rights Commission, join the community of jurisdictions that are dedicated to a coordinated fight against unlawful housing discrimination. Over the years, your agency has built a proud legacy of strong fair housing enforcement, and we at HUD are delighted to be able to call you and you staff our partners in this noble quest. Your work over the past fifty years, and the quality and quantity of justice it represents, reflects great credit upon the great State of West Virginia, its citizens, and upon all those who work in, for, and with the Commission.

Once again, congratulations on reaching this remarkable milestone. We at HUD look forward to an enduring partnership with the West Virginia Human Rights Commission in our joint quest to rid our society of unlawful housing discrimination.

Sincerely,

A handwritten signature in blue ink, which appears to read "Michael Jansen", is written over the word "Sincerely," and extends across the typed name and title below.

Michael Jansen
Director
Office of Fair Housing and Equal Opportunity
Pittsburgh Field Office, U.S. Department of H.U.D.

Phone: 412-644-5449

Fax: 412-644-6516

Email: michael.jansen@hud.gov



December 5, 2011

Phyllis H. Carter
Acting Executive Director
West Virginia Human Rights Commission
1321 Plaza East, Room 108A
Charleston, WV 25301

Dear Ms. Carter:

The U.S. Equal Employment Commission (EEOC) and the Philadelphia District are honored to congratulate the West Virginia Human Rights Commission on 50 years of administering the West Virginia Human Rights Act. Over the years, we have enjoyed working alongside the West Virginia Human Rights Commission because of our shared commitment to enforcing laws that make it illegal to discriminate against individuals because of their protected status in housing, employment, and places of accommodation.

The State of West Virginia has provided protection to its citizens against unlawful discrimination with the utmost professionalism and integrity.

Once again, we are pleased to congratulate the West Virginia Human Rights Commission on reaching this noteworthy anniversary and encourage your continued commitment in the fight against discrimination.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Lewis, Jr.", is positioned above the printed name.

Spencer H. Lewis, Jr.
District Director



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

HUMAN RIGHTS COMMISSION

Earl Ray Tomblin
Governor

1321 Plaza East, Room 108A
Charleston, WV 25301-1400
Telephone: (304) 558-2616 Fax: (304) 558-0085
TTY: (304) 558-2976 Toll-free: 1-888-676-5546

Michael J. Lewis, M.D., Ph.D.
Cabinet Secretary

Phyllis H. Carter
Acting Executive Director

December 5, 2011

As Chair of the West Virginia Human Rights Commissioners, it is truly an honor to be part of this 50th Year Celebration of the Commission's dynamic effort in administering the West Virginia Human Rights Act, as amended.

Many people have come and gone through these memorable years, laboring for equality for all members of society here in this great state of West Virginia, indeed this great nation!

As we face new challenges, we must never forget those who have gone before. They brought us to where we stand today. They gave us the foundation to build upon a better place for our continuing generations and the protection of those individuals who may be discriminated against because of their race, religion, color, national origin, ancestry, sex, disability, blindness, age (40 or above) or familial status.

It is not a strength but a weakness to prey on those who may not be aware of their rights according to the West Virginia Human Rights Act, and the protection that the Act has given them.

I am proud to serve with committed men and women who have a compelling devotion to continuing the great work that was begun by those who had the foresight to see further than their generation's need for equality and human dignity.

My personal congratulations go out to Judge Phyllis H. Carter, Acting Executive Director of the West Virginia Human Rights Commission and staff for the work that they do. I wish you continued success in your efforts to eradicate discrimination toward any individual in this Great State of West Virginia.

Truly yours,

Darrell Cummings

Rev. Dr. Darrell Cummings
Chair, WV Human Rights Commission





**STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

HUMAN RIGHTS COMMISSION

**Earl Ray Tomblin
Governor**

1321 Plaza East, Room 108A
Charleston, WV 25301-1400
Telephone: (304) 558-2616 Fax: (304) 558-0085
TTY: (304) 558-2976 Toll-free: 1-888-676-5546

**Michael J. Lewis, M.D., Ph.D.
Cabinet Secretary**

**Phyllis H. Carter
Acting Executive Director**

December 5, 2011

On March 7, 2011, I assumed the role of Acting Executive Director of the West Virginia Human Rights Commission. Shortly thereafter I received a congratulatory letter from Governor Earl Ray Tomblin and confirmation of that role by Senate President, Jeffrey Kessler.

For eleven years prior to being appointed Acting Executive Director, I worked as the Chief Administrative Law Judge over the legal and non-legal staff for the Office of Administrative Law Judges.

The work of the Human Rights Commission plays such a vital role in protecting the rights of the citizens of this Great State of West Virginia as pertains to their ethnicity, employment, housing needs and places of public accommodations.

Human Rights means, the right to be treated fairly according to the laws that prohibit discrimination against individuals as citizens. The denial of these rights to properly qualified persons by reason of race, religion, color, national origin, ancestry, sex, blindness, disability or familial status is contrary to the principles of freedom and equality of opportunity and is destructive to a free and democratic society.

I am extremely privileged to have this opportunity to be a part of the celebration honoring the Commission's 50 years of administering the West Virginia Human Rights Act. I look forward to continuing the commitment and mission of this agency as we move forward into the next 50 years.

Very truly yours,

Phyllis H. Carter

Phyllis H. Carter





WEST VIRGINIA STATE UNIVERSITY

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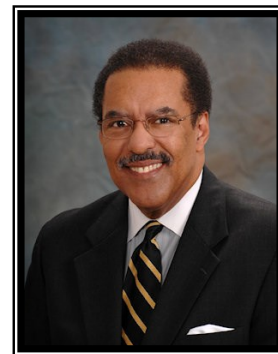
December 13, 2011

I would like to extend sincere congratulations to the West Virginia Human Rights Commission for fifty years of exemplary service to the citizens of this great state. Born out of the non-violent movement of the late fifties and early sixties, the Commission continues to encourage mutual understanding and respect among all people and to eliminate discriminatory practices in the areas of employment, public accommodations, and housing opportunities.

It is imperative that we continue to support the work of the Commission because the protection of the rights of citizens of the United States and West Virginia is the cornerstone of this democracy. The rights of citizenship guaranteed by the Fourteenth and Fifteenth Amendments are fundamental to a vibrant healthy society. A vibrant healthy society is one where the citizenry can exercise their rights free of harassment and discrimination. This exercise of one's rights in West Virginia is not only a human right but also a civil right. I applaud the Commission for its legal contributions and its advocacy on behalf of all West Virginians.

Sincerely,

Hazo W. Carter, Jr.
President



A Living Laboratory of Human Relations



A Land-Grant Institution Established in 1891

A BRIEF HISTORY OF THE WEST VIRGINIA HUMAN RIGHTS ACT

The West Virginia Human Rights Act (WVHRA) was enacted in 1961. This was in the very midst of the Civil Rights Movement, only a few years after the 1954 Brown v. Board of Education decision which had mandated school desegregation, and several years before the federal Civil Rights Act of 1964, which outlawed discrimination nationwide.

The 1961 Human Rights Act created the nine-member West Virginia Human Rights Commission (WVHRC) to:

encourage and endeavor to bring about mutual understanding and respect among all racial, religious and ethnic groups within the state and [to] strive to eliminate all discrimination in employment and places of public accommodation.

1961 W. Va. Acts 135, § 1 (Reg. Sess.).

Although the powers and the functions of the Commission have expanded in some important ways over the years, the form of the nine-member Commission and its purposes have remained substantially the same.

All of the functions of the original Human Rights Commission, as set out in the 1961 Act, also remain among the functions of the WVHRC today. The Commission then, as now, is “authorized and empowered” to work cooperatively with other governmental agencies and bodies to promote harmony and understanding among racial, religious, and ethnic groups; enlist the cooperation of groups in programs and campaigns advancing tolerance and understanding; encourage and conduct studies related to human rights; and make recommendations to the Governor and Legislature on questions affecting human rights. (1961 W. Va. Acts 135, § 4).

The original Human Rights Commission had the power “to receive and consider complaints,” to hold hearings, and to “act as conciliator in matters of employment and places of public accommodation.” Id. However, significantly, the original statute was clear in limiting the power of the HRC with regard to resolving such matters. It explicitly provided that “no decision of the commission shall be binding upon any parties to the conciliation[.]” Id. The ability of the WVHRC to order parties to cease discrimination, and the ability to order compensation for the harm of discrimination, would have to wait for another day.

In the late 1960s, that day came, as the WVHRC began a transition from an agency designed to “encourage” equal opportunity and to “endeavor to bring about mutual understanding,” (1961 W. Va. Acts 135, § 1), to an agency with power to compel equal opportunity. While some changes came quickly, the transition of the WVHRC into an agency capable of effectively exercising enforcement authority would take almost two decades.

In 1967, several years after the enactment of the federal Civil Rights Act of 1964, an amendment to the WVHRA added a statutory provision prohibiting discrimination in employment and places of public accommodations. This made equal opportunity an enforceable right for the first time under state law. The 1967 amendment also added statutory language to the Act which gave the WVHRC enforcement powers and adjusted the nature of Commission hearings from fact finding sessions to administrative adjudications. W. Va. Code § 5-11-10.

The 1967 amendment also contained a “declaration of policy” section which enunciated a state public policy to ensure that all citizens of the state had equal opportunity in employment and public accommodations.

It is the public policy of the state of West Virginia to provide all of its citizens equal opportunity for employment and equal access to places of public accommodations. . . .Equal opportunity . . . is hereby declared to be a human right or civil right of all persons. . . .

W. Va. Code § 5-11-2.

This declaration became the basis of important developments which followed.

In the subsequent 25 years, the Legislature gradually expanded the coverage of the WVHRA, reflecting a commitment to the public policy which had been enunciated in 1967. Despite the fact that employment discrimination based on sex was prohibited in the federal Civil Rights Act enacted in 1964, a similar prohibition was not included in the Human Rights Act until 1971. The 1971 amendment to the WVHRA also prohibited housing discrimination based on race, religion, color, national origin, and ancestry. Between 1971 and 1981, the Legislature amended the statute three more times, to include prohibitions against blindness and handicap discrimination in all of the covered areas, and to add coverage for sex discrimination in housing. In 1992, the law governing housing discrimination was separately enacted as the West Virginia Fair Housing Act.

The West Virginia Supreme Court of Appeals has also played a very important part in defining and shaping both the nature of human rights in West Virginia and the role of the WVHRC in protecting those rights. In 1975, the West Virginia Supreme Court recognized the public policy of equal opportunity in State of West Virginia Human Rights Commission v. Pauley, 158 W. Va. 495, 212 S.E.2d 77 (1975), wherein the Court drew upon the WVHRA’s strong policy language to uphold the power of the WVHRC to take enforcement action against discrimination.

[I]t is readily discernible that the Legislature, by its recent enactments in the field of human rights, intended to and did provide the Commission the means with which to effectively enforce the law and meaningfully implement the legislative

declaration of policy. If our society and government seriously desire to stamp out the evil of unlawful discrimination which is symptomatic of unbridled bigotry, and we believe they do, then it is imperative that the duty of enforcement be accompanied by an effective and meaningful means of enforcement. The forceful language used by the Legislature mandates the eradication of unlawful discrimination. If this mandate is to be carried to fruition the provisions of the 1967 Human Rights Act and the amendments thereto must be given the significance intended so as to provide for meaningful enforcement.

Pauley, 158 W. Va. at 499-500, 212 S.E.2d at 79 (internal citations omitted).

Between 1975 and 1984, the West Virginia Supreme Court issued nine decisions which clarified the functions and powers of the WVHRC and provided guidance for the application of the Act in specific circumstances. These decisions acknowledged the power of the HRC to remedy discrimination with the award of monetary damages (State of West Virginia Human Rights Commission v. Pauley, 158 W. Va. 495, 212 S.E.2d 77 (1975); State of West Virginia Human Rights Commission v. Pearlman Realty Agency, 161 W. Va. 1, 239 S.E.2d 145 (1977)); and to remedy the present effects of past of past discrimination (West Virginia Human Rights Commission v. United Transportation Union, Local No. 655, 167 W. Va. 282, 280 S.E.2d 653 (1981); Greyhound Lines-East v. Geiger, 168 W. Va. 229, 283 S.E.2d 858 (1981)). The Court also acknowledged the importance of enforcement hearings. Currey v. State of West Virginia Human Rights Commission, 166 W. Va. 163, 273 S.E.2d 77 (1980). And, perhaps most significantly, the Court recognized circumstantial proof as a legitimate means of proving discrimination under the Human Rights Act. Shepherdstown Volunteer Fire Department v. West Virginia Human Rights Commission, 172 W. Va. 627, 309 S.E.2d 342 (1983).

In December 1984, the West Virginia Supreme Court of Appeals issued a decision in Allen v. State of West Virginia Human Rights Commission, 174 W. Va. 139, 324 S.E.2d 99 (1984), which dramatically underscored the importance of the public policy opposing discrimination and which significantly reshaped the handling of discrimination complaints by the HRC. This decision equipped the WVHRC with the necessary institutional resources and framework to see complaints of discrimination through to a just resolution.

To ensure that the WVHRC had the capacity to adjudicate discrimination cases, the Court directed the hiring of a full-time hearing examiner, thus ensuring that for any case where voluntary compliance with the law could not be obtained, the HRC was equipped with the tribunal to conduct evidentiary hearings to determine whether or not unlawful discrimination had occurred.

In addition, in the same decision, the Court directed the Attorney General to provide lawyers necessary to present the cases before this tribunal. This was the birth of the Attorney General's Civil Rights Division. Since 1984, between two and five full-time attorneys have

been made available by the Attorney General to litigate claims brought before the WVHRC for which there is a “probable cause” determination.

As justification and support for the extraordinary measures it was taking in Allen to ensure that discrimination was effectively addressed by the WVHRC, the Court discussed the fundamental nature of human rights, and the lofty purposes established by the West Virginia Legislature in the WVHRA. The Allen Court began by citing to the powerful language of the purpose section which had been added to the Human Rights Act in 1967, just as it had in its Pauley opinion. The Court then quoted the Legislature’s powerful words about the profound impact of discrimination.

This concept of equality is so basic to our system of government, that the Legislature has declared, "The denial of these rights to properly qualified persons by reason of race, religion, color, national origin, ancestry, sex, age, blindness or handicap is contrary to the principles of freedom and equality of opportunity and is destructive to a free and democratic society."

Allen, 174 W. Va. at 148, 324 S.E.2d at 108 (*quoting* W. Va. Code § 5-11-2).

And then, the Court used a vivid analogy to indicate how high a priority must attach to these rights.

Therefore, every act of unlawful discrimination in employment, housing, or public accommodations is akin to an act of treason, undermining the very foundations of our democracy.

Allen, 174 W. Va. at 148, 324 S.E.2d at 108.

In its Allen decision, in addition to the specific directives regarding the employment of a full-time hearing examiner and the creation of the Civil Rights Division, the Court also recognized that the Legislature had made the protection of human rights an overriding priority to be applied throughout government.

The Legislature, in these respects, has generously bestowed upon the Human Rights Commission substantial power to utilize all the resources available in state government without recompense by the Commission in pursuit of its fundamental objectives. It has established human and civil rights as the highest priority not only of the Human Rights Commission, but also of the Attorney General, and of every executive officer, department, and agency of this State.

Allen, 174 W. Va. at 162, 324 S.E.2d at 122.

There have been many other important developments at various points during the last 50 years which have underscored the state's commitment to ensuring equal opportunity.

In the 25 years since Allen, the Court expanded the scope of Human Rights Act protection to cover many forms of discrimination which are now considered well-settled rights; for example, to cover constructive discharge (State of West Virginia Human Rights Commission v. Logan-Mingo Area Mental Health Agency, 174 W. Va. 711, 329 S.E.2d 77 (1985)), pregnancy discrimination (Frank's Shoe Store v. West Virginia Human Rights Commission, 179 W. Va. 53, 365 S.E.2d 251 (1986)), class action cases (Greyhound Lines-East v. Geiger, 179 W. Va. 174, 366 S.E.2d 135 (1988)), discriminatory wage disparities (West Virginia Institute of Technology v. West Virginia Human Rights Commission, 181 W. Va. 525, 383 S.E.2d 490 (1989)), and sexual harassment (Westmoreland Coal Company v. West Virginia Human Rights Commission, 181 W. Va. 368, 382 S.E.2d 562 (1989)). The Court ruled that it is unlawful to deny a person housing opportunities because of the race of the people with whom he or she associates. West Virginia Human Rights Commission v. Wilson Estates, Inc., 202 W. Va. 152, 503 S.E.2d 6 (1998). In the two calendar years of 1988 and 1989 alone, the Court decided 32 Human Rights Act cases.

In the 50-plus human rights cases decided by the West Virginia Court since 1995, the aspect of the law addressed most often has been disability discrimination. The scope of human rights related to disability, unrecognized by earlier versions of the Human Rights Act, has been defined and refined by 14 decisions in this period.

In this more recent period, the Court has also had some occasion to look back to the fundamental principles which motivated the earlier versions of the Human Rights Act and which were first articulated there. For example, in a decision allowing punitive damages to be awarded by juries in Human Rights Act cases under some circumstances, the Court explicitly recognized "that the legislative purpose contained in **the Human Rights Act contemplates not merely compensating victims of discrimination for violations of their human rights, but preventing violations of these rights.**" Haynes v. Rhone-Poulenc, Inc., 206 W. Va. 18, 33, 521 S.E.2d 331, 346 (1999) (emphasis supplied).

As the West Virginia Court has noted, when discrimination occurs today, it can be as difficult as ever to prove.

"Gone are the days (if, indeed, they ever existed) when an employer would admit to firing an employee because she is a woman, over forty years of age, disabled or a member of a certain race or religion. . . ."

Skaggs v. Elk Run Coal Co., 198 W. Va. 51, 79, 479 S.E.2d 561, 589 n.21 (1995) (citation omitted).

In 1995, the Court issued a decision in Barefoot v. Sundale Nursing Home, 193 W. Va. 475, 457 S.E.2d 152 (1995), which, while not making new law, thoroughly reviewed and clearly set out the method of analysis which has evolved over the past 25 years, and which is to be used in discerning violations of the Human Rights Act. It is the framework of proof summarized in Barefoot that the WVHRC and private litigants rely upon today to prove claims of unlawful discrimination.

[The elements of a *prima facie* case] create an inference of discrimination. If the decision is not explained, we would suspect the employer had an illicit motive; a fair and rational employer does not fire an employee who is performing adequately and then hire someone totally new to replace the discharged worker. Of course, the employer might have a rational explanation for its action. When that explanation is offered, a function of the *prima facie* case is served; it is designed to allow a plaintiff with only minimal facts to smoke out a defendant--who is in control of most of the facts--and force it to come forward with some explanation for its action.

Barefoot, 198 W. Va. at 485, 457 S.E.2d at 162 (internal citations omitted).

Using these legal devices, employers and others can be held appropriately accountable for discriminatory decisions.

Fifty years after its inception, the work of the West Virginia Human Rights Commission continues. The agency's efforts to eliminate unlawful discrimination in West Virginia workplaces, places of public accommodations, and in housing opportunities are ongoing. The HRC mandate and authority have evolved through the years by virtue of legislative action and judicial interpretation, and will likely continue to adapt over the next 50 years to address the important public policy of facilitating mutual understanding and eliminating unlawful discrimination. What changes will occur to the Human Rights Act in the next 50 years? One can only hope that any future changes are consistent with West Virginia's historic commitment to equality and equal opportunity for all.

Paul R. Sheridan
Deputy Attorney General
Jamie S. Alley
Senior Assistant Attorney General
Civil Rights Division

West Virginia Human Rights Commission Mission Statement

The West Virginia Human Rights Commission will encourage and endeavor to bring about respect, tolerance, and mutual understanding among all citizens of West Virginia regardless of their race, gender, religious persuasion, ethnicity, or disability.

The Commission will administer and ensure adherence to, through education, investigation, mediation, and adjudication, the Human Rights Act, which prohibits discrimination in employment, housing, and places of public accommodations.



Highlights of the West Virginia Human Rights Act

The West Virginia Human Rights Act (W.Va. Code §5-11) was enacted in 1961 and is administered and enforced by the West Virginia Human Rights Commission.

Employment Discrimination and Harassment W.Va. Code §5-11-9(1)

It shall be an unlawful discriminatory practice...For any employer to discriminate against an individual with respect to compensation, hire, tenure, terms, conditions or privileges of employment...

Public Accommodations Discrimination W.Va. Code §5-11-9(6)(A)

It shall be an unlawful discriminatory practice...for any person being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodations to: (A) Refuse, withhold from or deny to any individual because of his race, religion, color, national origin, ancestry, sex, age, blindness or handicap, either directly or indirectly, any of the accommodations, advantages, facilities, privileges or services of such place of public accommodations; ...

Reprisal Related to Employment or Public Accommodation W.Va. Code §5-11-9(7)(A)(C)

It shall be an unlawful discriminatory practice for any person to...(A) Engage in any form of threats or reprisal,...or otherwise discriminate against any person because he has...filed a complaint, testified or assisted in any proceeding under this article.

Housing Related Reprisal and Intimidation W.Va. Code §5-11-9A-16

It shall be unlawful to coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by sections four, five, six or seven...of this article.

****The West Virginia Code is available in public libraries and on the Legislature's web page at <http://legis.state.wv.us/>**

Declaration of Policy

It is the public policy of the State of West Virginia to provide all citizens equal opportunity for employment, equal access to places of public accommodation and equal opportunity in the sale, purchase, lease, rental and financing of housing accommodations or real property. Equal opportunity in the areas of employment and public accommodations is hereby declared to be a human right or civil right of all persons without regard to race, religion, color, national origin, ancestry, sex, age (40 and above), blindness or disability. Equal opportunity in housing accommodations or real property is hereby declared a human right or civil right of all persons without regard to race, religion, color, national origin, ancestry, sex, blindness, disability or familial status.

The denial of these rights to properly qualified persons by reason of race, religion, color, national origin, ancestry, sex, age, blindness, disability or familial status is contrary to the principles of freedom and equality of opportunity and is destructive to a free and democratic society.

Unlawful discrimination damages both the individual and society in a myriad of ways, not the least of which is shame and humiliation experienced by the victim -- feelings that diminish the person's ability to function in every area of life. Society is damaged by the unwarranted and foolish refusal to accept an individual's talents and efforts merely because of race, sex, religion, age, color, ethnicity or disability. With regard to housing, discrimination strikes at the very dignity of the individual. It says to the victim that no matter how much money you have, no matter what your social position, you cannot live here.

Specifically, the West Virginia Human Rights Act prohibits discrimination by any employer employing twelve (12) or more persons within the state for twenty (20) or more calendar weeks in the calendar year in which the act of discrimination allegedly took place or the preceding calendar year: Provided that such terms shall not be taken, understood or construed to include a private club, based on race, color, religion, national origin, ancestry, sex, age (40 and above), blindness or disability in the selection, discharge, discipline or other terms and conditions of employment. The Act also prohibits any advertisement of employment that indicates any preference, limitation, specification or discrimination based on race, religion, color, national origin, ancestry, sex, age (40 and above), blindness or disability.

Lastly, it is unlawful under the Act to retaliate or discriminate in any manner against a person because the person has opposed a practice declared unlawful by this Act or because the person has made or filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding or hearing concerning an unlawful practice under the Act.

The Fair Housing Act protects each person's right to personal dignity and freedom from humiliation, as well as the individual's freedom to take up residence wherever the individual chooses. This Act prohibits discrimination in housing based on race, religion, color, sex, national origin, ancestry, disability and familial status (the presence of children under the age of 18 years of age in the household). Wide ranges of discriminatory practices are prohibited, affecting a variety of persons and businesses. Realtors, brokers, banks, mortgage lenders, insurance companies, developers, real estate buyers and sellers, landlords and tenants are all affected by the Fair Housing Act. It is important that all those covered by the Act know their rights and duties under the Act.

Current West Virginia Human Rights Commission Staff

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*In order of service.

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Zerbe, Carter
Zerbe, Thomas

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Howard D. Kenney
Norman Lindell (Acting)
Phyllis H. Carter
Quewannoii C. Stephens
Herman H. Jones
Ivin B. Lee

*This is not a comprehensive list.

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William Wallace “Wally” Barron

26th Governor from 1961-1965

Hulett Carlson Smith

27th Governor from 1965-1969

Arch Alford Moore, Jr.

28th and 30th Governor from 1969-1977 and 1985-1989

John Davison “Jay” Rockefeller, IV

29th Governor from 1977-1985

William Gaston Caperton, III

31st Governor from 1989-1997

Cecil Harland Underwood

25th and 32nd Governor from 1957-1961 and 1997-2001

Robert Ellsworth “Bob” Wise

33rd Governor from 2001-2005

Joseph “Joe” Manchin, III

34th Governor from 2005-2010

Earl Ray Tomblin

35th Governor from November 15, 2010 to present

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Civil Rights Division
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Jo Moss, Paralegal
Melissa Lewis, Secretary

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Rhonda Parrish, Secretary
Mary Stevenson, Secretary/Receptionist
Elizabeth Wehner, Secretary
Johannah Turner, Secretary

***This is not a comprehensive list**

There were many Assistant Attorneys General who assisted the Commission before the Allen Decision and the creation of the Civil Rights Division

“From Whence We Came”

Civil Rights Day Honorees

For dedicated service to the people of West Virginia and their constant struggle for civil rights and equality for all, the following were honored:

2003

Louise P. Anderson
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Joan C. Browning
Philip W. Carter, Jr.
George E. Chamberlain, Jr.
Carrie Chance
Dr. Betty Jane Cleckley
Rev. Homer H. Davis
Elizabeth H. Gilmore*
Rev. Paul J. Gilmer, Sr.
Henry Hale
Bernard Francis Hawkins*
Herbert H. Henderson, Esq.
Paul J. Kaufman*
Rose Jean Kaufman*
Shirley N. Paige
Emerson Reed
Helain Rotgin
Rev. Dr. Dean K. Thompson
Clayborn Tillman
James A. Tolbert, Jr.
Nellie Walker
Ellis Ray Williams

2004

Dr. Elayne Coxier Abnathy
Dr. Mildred Mitchell Bateman
Hollie James Brown
Madrith Chamber
Rev. David C. Chappell*
Sgt. Edward Clark, Jr. (Ret.)
Rabbi Samuel Cooper
Howard Samuel Crump
The Hon. Gail Ferguson
Roger Foreman, Esq.
Robert Jackson Guerrant
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Josephine Rayford
Lucile Meadows*
Dr. Sophia Peterson*
Lucille Pianfetti

Charles E. Price*
George Rutherford
Steve Rutledge
Rev. Charles H. Smith
Mary Snow
The Hon. Nancy Starks*
Rev. Julian Sulgit, Jr.
The Hon. Booker T. Stephens
Dr. Leon Howard Sullivan

2005

Willard L. Brown, Esq.*
The Hon. Herman G. Canady, Jr.
Harry Jheopart Capehart, Esq.*
Elizabeth E. Chilton
William E. “Ned” Chilton*
Gustavus Werber Cleckley*
Savannah R. Evans
Faith Holsaert
Rev. Dr. Idus Jones, Jr.
Cora Francis Coleman Jones
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Rev. Dr. David Louise Smith*
Dr. John Warner, Jr.
Richard G. Walker
William L. Williams, Jr.
Rev. Dr. F. Emerson Wood

2006

Carole “Cookie” Glasser
Kent S. Hall
Della Louise Brown Taylor Hardman, Ph.D.*
Ken Hechler, Ph.D.
Mildred Ruth T. Holt
Mentola Joyce Jackson
Rev. Dr. Patricia Ann Jarvis, D. Min.
Rev. Dr. David A. Kates*
J. Franklin Long, Esq.
Anna L. McCright
Edward L. Peeks
The Hon. Larry V. Starcher
Clarence Wanzer

“From Whence We Came” Continued

2007

Dr. Charles R. Byrd*
 Anna Evans Gilmer
 The Hon. Mike Kelly
 Rashida Khakoo, M.D.
 John E. Lynch, Jr.*
 The Hon. Charlene Marshall
 James B. “Jim” McIntyre, Esq.*
 Mary Wilene Hairston Moore
 Robert L. “Bob” Morris*
 Dr. Taylor J. Perry, Jr.
 Joseph Cromwell Peters*
 Bishop Donald L. Pitts
 Martha “Sweet Pea” Dunlap Sanders*
 Carter Zerbe, Esq.

2008

The Seventeen Black Railroad Yardmen
 C. O. Baumgardner
 Thomas H. Mack
 Rabbi Helen Bar-Yaacov
 William Anthony “Tony” Brown
 The Charleston Women’s Improvement League, Inc.
 James A. Griffin
 James Arthur Jackson*
 Gertrude Diana Campbell Jackson*
 Charles Howell James, II*
 The Hon. A. Andrew MacQueen, III
 James E. Parker, Esq.
 Richard H. Payne
 Benjamin Clyde Perkins, Jr.*
 The Silver Leaf Club
 The West Virginia Tuskegee Airmen
 Quewanncoi “Que” C. Stephens, Sr.
 The Hon. Justice Margaret L. Workman
 Eugene K. Young

2009

William Anderson
 Raymond Hammarth
 Lenora E. Harmon*
 Gregory T. Hinton, J.D.
 Bernice Johnson
 James C. Karantonis
 Mae Stallard

David Stewart
 Margaret Taylor
 Wendy Thomas
 Russell Van Cleve*
 Winifred W. White
 Brian Williams*
 Claude Williams
 Thomas Zerbe, J.D.

2010

Mary Frances Brammer
 Helen Sutton Dobson*
 Lt. Sidney Edward Frye
 James A. Haught
 Jada C. Hunter
 Dr. Margaret Anne Cyrus Mills*
 Dr. Minu Sabet
 Catherine Dooley Taylor
 Rev. Beatrice Ruth Burgess*
 Patrolman Robert Edward Easley, Sr.*
 The Hon. Joseph Robert Goodwin
 Councilman James C. Hunt
 Odith P. Jakes*
 Brown Hugo Payne, Esq.*
 First Sergeant James C. Spriggs, Jr.*

*honored posthumously

A Historical Birthday

By: Monia S. Turley

In January 2011, we celebrated Dr. Martin Luther King, Jr.'s birthday. In February of that same year, we celebrated "Black History Month." All truly wonderful events! Contributors to our newsletters and other sponsored events brought forth recognition and ceremonial embrace of the excellent work of those who have gone before us in the annals of time in the fight for equality and justice. I would like to bring your attention to another important upcoming historical event that will take place this year - July 1, 2011 marks the 50th birthday of the West Virginia Human Rights Commission!

House Bill 115, which originated in the House Committee on the Judiciary, was passed by the Legislature on March 6, 1961, effective July 1, 1961 and approved by then Governor William Barron. The Act amended Chapter Five of the Code of West Virginia, one thousand, nine hundred thirty-one, as amended, adding a new article, designated article eleven, which created and established the West Virginia Human Rights Commission and provided for its personnel, powers, functions and services to administer the West Virginia Human Rights Act, as amended. (Legislative Services)

At that time, the Commission received and considered discrimination complaints involving employment and places of public accommodations based on a person's race, color, religion, national origin and ancestry. Since then, there have been significant amendments to the West Virginia Human Rights Act, adding protected classes and strengthening the powers of the Commission, including its powers as an enforcement authority.

The first physical address of the Commission was *451 State Capitol Building, Charleston, West Virginia 25305*, which is now a small committee room in the main capitol building. Through the echoes of time, the Commission moved at least four times before landing at its present location at Plaza East on Morris Street. (Staff Members, Annual Reports) The first Executive Director was Howard W. McKinney, appointed in 1962, and the first Chairman of the Commission was Thomas W. Gavett. McKinney is credited with pioneering the establishment of local human rights commissions, to which there were twenty-four county human rights commissions. (5th Annual Report)

Sometimes, it's beneficial to reflect on our origins, to know where we came from, where we are and, because of our beginnings, where we are going. I received a call some time ago from another Human Rights Commission. The employee asked me how long the West Virginia Human Rights Commission had been in existence and it sparked my interest. I immediately started researching and even though I knew the year, I had significant difficulties finding any exact dates. Though often ignored, exact dates are extremely important to our foundations.

After several months of research and contact with numerous sources, I received confirmation for the dates of the Commission's origins. I, personally, have been with the Commission since October 16, 1984, and I never realized how old the agency was and that I have been working here for over half of its existence. I was further surprised that I share my 50th

birthday this year with the Commission I serve. I also learned that West Virginia was one of just 26 states to form commissions charged with enforcing fair employment laws at that time. It was a position that was desperately warranted since, according to our Commission's own First Annual Report, "in 1961, 50 percent of restaurants, 70 percent of hotels and motels, and 85 percent of pools in the state still discriminated against African Americans."

As this momentous event approaches, I encourage reflection on and celebration of the work of the many wonderful people who have come before us and those of us who continue in service to the West Virginia Human Rights Commission and its mission. I challenge you, dear reader, to renew your efforts in keeping the Commission a positive entity to continue helping those who are in need of our services. Only three current staff members remain from the original crew of personnel predating the Allen Mandamus of 1984 - Monia S. Turley (27 years), Yodora P. Booth (22 years), and Marshall P. Moss (20 years). The Allen Mandamus was a landmark decision issued by the West Virginia Supreme Court of Appeals in December 1984. With its decision, it created substantial change to the operation of the Commission and the way in which cases of discrimination are processed. It authorized the Commission to seek services from any state agency in the processing of those claims and placed guidelines whereby certain functions were to be completed at the Commission. It also brought about a close interactive association with the State's Office of the Attorney General and caused the creation of a special division of that agency, the Civil Rights Division, whose attorneys would litigate cases on behalf of the Commission. This important decision has shaped the way the Commission operates and continues to this day.

Throughout the years, I have been privileged to work with and be a part of the Commission's mission to educate and seek to eradicate discrimination. It is a cause that has been dear to me since, as a young white girl in fifth grade in 1971, I first learned that people were discriminated against and treated horribly simply because of the color of their skin. I lovingly remember and thank Mr. Jackson for the enlightenment. Mr. Jackson was the first black teacher in a predominately white school who fought against racial discrimination throughout the height of the Civil Rights Movement of the 60s and 70s. He eventually, through the continued efforts of himself and those like him who fought for equality in employment, paved the way for equality in the school systems of Cleveland, Ohio for other teachers like himself.

Since the years when I was educated as to the existence of discrimination, I have watched it change - from bold and brazen to subtle - but realize that, even after all these years, hatred never stops and discriminatory animus continues in 2011. Thankfully, I have also been able to witness the laws combatting discrimination and those persons fighting to eradicate it and educate others, soldier on. Although the Commission is small, notoriously and historically underfunded, and though I never gained wealth by working as an employee of the Commission, I have gained great satisfaction in knowing that I have lived a life of service to the people of West Virginia and have helped the great people of this state achieve equality in their jobs, their homes, and places that they patronize. There have been many trials I have surpassed throughout the years - and many times I have thought of quitting - but each time I came back to what I was working toward, and what I strive for to this day. Working for the Commission has not just been a job, but the ability for me to make a difference in the lives of

those who have been unjustly treated or discriminated against for such narrow-minded reasons. It is something I never lost my zeal for and hope I take with me.

I'm thankful for this search which allowed me to discover the roots of the West Virginia Human Rights Commission's history. Through these efforts I was led to a source (Archives and History) which allowed me to update the Commission's archives of Annual Reports with the first, crucial and historic, six years. I was thrilled to be able to complete a project that I have been working on for the last four years and to read the very first Annual Report of the Commission.

Of course, as it has been said many times, the rest is history. How have you helped shape it?

Monia S. Turley
Previously published in the Commission News, May 2011

Sources:
Legislative Services
Archives and History
Secretary of State's Office
Former and Current Employees of the Commission
Historical Documentation
First Annual Report of the WV Human Rights Commission 1961-1962
Fifth Annual Report of the WV Human Rights Commission 1965-1966
Edits by Esther M. Hupp

Congratulations and Support for the West Virginia Human Rights Commission's 50 Years

"The Ohio Civil Rights Commission is honored to accept your invitation to attend WVHRC's 50th Anniversary celebration in Charleston on December 13th. We look forward in joining our friends at WVHRC in celebrating this important milestone."

- G. Michael Payton
Executive Director, Ohio Civil Rights Commission

"Thank you for the invitation to participate in celebrating the 50 year anniversary of the founding of the West Virginia Human Rights Commission. I regret that I will not be able to be in Charleston that day, but will be joining you in spirit. May this be only the beginning of greater awareness and support for the rights, freedoms and respect that are deserved and owed to all. Keep up the good work!"

- Liz Watkins

"I regret that I cannot commit to taking part in this event myself. I know that this anniversary observance will be a worthwhile event, and I hope it will draw some much needed attention to contemporary issues and concerns in the area of human rights. We appreciate very much your inviting us to have a part in the program."

- Ed McDonald
President, National Federation of the Blind

I want to thank you, the Commission and the Honorable Phyllis Carter for the invitation to the 50th year West Virginia Human Rights Commission commemoration. I realized that I have been practicing for half as long and through those many years I have always been met with kindness, courtesy, professionalism, but most of all and most importantly, those whom I have served were granted the dignity of a due process and respectful forum to address their charges. So to all and each of you, including the ALJs before whom I have been fortunate to practice, my sincerest praise for your too oftentimes thankless work and for your important mission. Work will not allow me to travel that distance from the Eastern Panhandle, so from afar I share in your commemoration.

With highest regards,
Bob Schiavoni

To: The West Virginia Human Rights Commission on your 50th year of administering the West Virginia Human Rights Act.

"Congratulations to the West Virginia Human Rights Commission on your 50th anniversary. Both The Charleston Gazette and I commend the commission on your struggles and triumphs on behalf of all the people. We are proud to mark this occasion with you, and wish you every success in helping West Virginians to achieve a society that is ever more just."

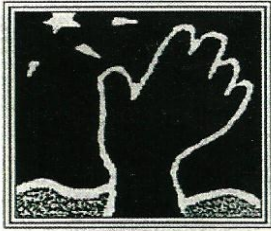
Sincerely,
Elizabeth Early Chilton,
President and Publisher
The Charleston Gazette

Thank you for the invitation for the December 13 Celebration. Unfortunately, I will be in Greenbrier County for a meeting that morning. I sure hope things go well on the significant anniversary.

Tom Campbell, CPA
Vice Chair of Finance
WV House of Delegates
Representing All of Greenbrier County

" As a practicing Attorney in West Virginia for over Thirty years, I know that the West Virginia Human Rights Commission plays a vital role in assisting our citizens as they face discrimination due to their family status. Many of our families are discriminated against when it comes to their applying for housing, monetary assistance and other forms of aid. Particularly our poor citizens, our minority citizens and uneducated citizens face ongoing discrimination. I know that our West Virginia Human Rights Commission continues to pursue the rights of all and is a necessary agency. I hope that the current administration continues to give support to the Human Rights Commission and its Acting Executive Director, Judge Phyllis H. Carter."

Attorney, Cheryl Lynne Henderson



The Charleston Black Ministerial Alliance, Inc.

Rev. Dr. Lloyd Allan Hill, President

500 29th Street; Charleston, WV 25312

Phone: 304-744-4441

Email: pastorhill@suddenlink.net

Web: www.charlestoncbma.org

From: Rev. Dr. Lloyd A. Hill President, CBMA

To: Honorable Judge Phyllis Carter, Director

On behalf of the Charleston Black Ministerial Alliance Inc, officers and members thereof, as president it gives me great privilege to congratulate you and your staff as you celebrate 50 years of service in this community and throughout this state. The work that you do speaks for itself as you continue to seek justice and righteousness for all especially they who have little or no voice or power to stand for themselves. Yours is the work of one who truly seeks to even the playing field towards fairness for all and for this we should all be grateful.

May the God whom I serve continue to grant you wisdom to do the work He's placed in your hands. May He grant you favor in every room. Hear you when you call, and answer just in time.

God bless you,

Rev. Dr. Lloyd A. Hill President,

First Baptist Church of Charleston

"The House of Hope in the Heart of the City"



Pastor Paul A. Dunn

December 7, 2011

West Virginia Human Rights Commission:

François-Anatole Thibault, better known as (Anatole France) a French poet, journalist, and novelist; once stated -- *"The law, in its majestic equality, forbids the rich and the poor alike to sleep under bridges, to beg in the streets and to steal bread."* Accordingly, the dilemmas many individuals still face in this 21st century continue to place questions where answers of equality rules apply.

The West Virginia Human Rights Act, passed in 1961, has assured through public policy that all the citizens of the Great State of West Virginia are entitled to equal opportunity to employment, equal access to public accommodations and equal opportunity for adequate housing, regardless of race, religion, sex, disability.

I congratulate the West Virginia Human Rights Commission on their 50th year of assuring that the denial of these and the human rights of any individual are no longer a question mark but an answer to established respect and equality for every individual.

Respectfully,

Pastor Paul A. Dunn

Deacon Chairpersons

Ruth Henderson
Philip Moorman

Trustee Chairperson

Dr. R. Charles Byers

Church Secretary

Darlene Ingram

Church Clerk

Barbara Carroll

Chief Musician

Tim Courts

Worship Leader

Min. Mel Ashford

Choir Director

Min. Tamara
Eubanks

Youth Coordinator

Karen Smith

Finance Committee

Standley Greene
President

Rena Cosby
Vice President

Marie Cook
Secretary

Andrea Robinson
Treasurer

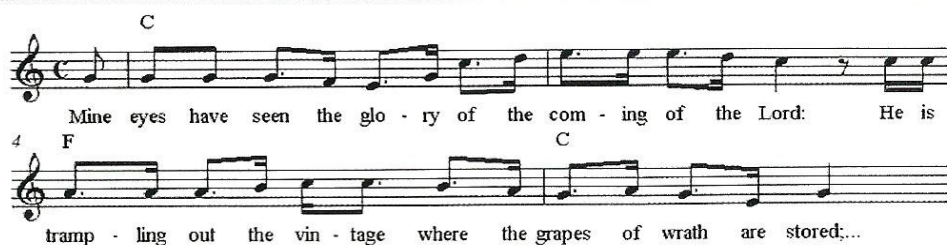
Deborah Walker

Hallie Dickerson

Vickie Hairston

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email: fbc432@suddenlinkmail.com

"50TH YEAR CELEBRATION"



Mine eyes have seen the glory of the coming of the Lord:
He is trampling out the vintage where the grapes of wrath are stored;
He hath loosed the fateful lightning of His terrible swift sword:
His truth is marching on.

(Chorus)

Glory, glory, hallelujah!
Glory, glory, hallelujah!
Glory, glory, hallelujah!
His truth is marching on.

I have seen Him in the watch-fires of a hundred circling camps,
They have builded Him an altar in the evening dews and damps;
I can read His righteous sentence by the dim and flaring lamps:
His day is marching on.

(Chorus) - His day is marching on.

In the beauty of the lilies Christ was born across the sea,
With a glory in His bosom that transfigures you and me:
As He died to make men holy, let us die to make men free,
While God is marching on.

(Chorus) - While God is marching on.

I have read a fiery gospel writ in burnished rows of steel:
"As ye deal with my contemnors, so with you my grace shall deal;
Let the Hero, born of woman, crush the serpent with his heel,
Since God is marching on."

(Chorus) Since God is marching on.

He is coming like the glory of the morning on the wave,
He is Wisdom to the mighty, He is Succour to the brave,
So the world shall be His footstool, and the soul of Time His slave,
Our God is marching on.

(Chorus)

Glory, glory, hallelujah!
Glory, glory, hallelujah!
Glory, glory, hallelujah!
Our God is marching on.

"50TH YEAR CELEBRATION"

WE SHALL OVERCOME

We shall overcome
We shall overcome
We shall overcome some day

(Chorus) Oh, deep in my heart
I do believe
We shall overcome some day

(Chorus)

We'll walk hand in hand
We'll walk hand in hand
We'll walk hand in hand some day

(Chorus)

We shall all be free
We shall all be free
We shall all be free some day

(Chorus)

We are not afraid
We are not afraid
We are not afraid some day

(Chorus)

We are not alone
We are not alone
We are not alone some day

(Chorus)

The whole wide world around
The whole wide world around
The whole wide world around some day

(Chorus)

We shall overcome
We shall overcome
We shall overcome some day

(Chorus) Oh, deep in my heart
I do believe
We shall overcome some day

**Following:
ACKNOWLEDGEMENTS**

Special Recognition goes to the Honorable Earl Ray Tomblin, Governor, and the Office of the Governor.

The General Services Division of the Department of Administration and Dennis Stewart, Event Coordinator and his staff without whom we would not have been able to have the 50th Year Celebration.

President Jeffrey Kessler for allowing the Commission the use of the Senate Foyer of the Upper Rotunda and Senate Reception Room.

Secretary Mattox and Randy Damron from the Department of Transportation who graciously agreed to be our Master of Ceremonies.

Karen Goff, Director West Virginia Library Commission for filming.

Becky Harper, Caterer providing our 50th Year cake and light refreshments.

Shirley Parliament & Dunbar Printers & Graphics, LLC for our Commemorative Booklet and badges.

WV State University Jazz Band for providing our music.

Leisha English-Gibson, Musical Selections.

Delta Sigma Theta Sorority, Inc. Charleston - Institute Alumnae Chapter as Hostesses.

Charlie Cooper, as our Sound Technician.

Traci Phillips—WV Auditor's Office for filming of Celebration

The Planning and Implementation Committee:

Phyllis H. Carter, Acting Executive Director

Mary Kaye Jacquet, Deputy Director

Monia S. Turley, Executive Secretary

Esther Hupp, Investigator

Lisa Gist, Administrative Services Assistant

Sonja Kingery, Office Assistant

**** All aforementioned volunteer Speakers and participants**



**West Virginia Human Rights Commission
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